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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/714,706

11/17/2003

Gerald N. Shields

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02/17/2006

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EXAMINER

NGUYEN, ANTHONY H

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

4A

Office Action Summary	Application No. 10/714,706	Applicant(s) SHIELDS, GERALD N.	
	Examiner Anthony H. Nguyen	Art Unit 2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 12-19 and 24-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 12-19 and 24-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 03, 2005 has been entered.

Claim Rejections - 35 U.S.C. § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) a patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 9, 12, 14 and 24-30 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Burgard (US 2002/0023587) in view of Achelpohl et al. (US 5,816,163).

With respect to claims 1-3 and 12, Burgard teaches an inking including a cleaning system and method of inking and flushing in a printing press having a fluid circuit 100 which includes a first operating configuration for supplying ink and a second operating configuration for supplying cleaning solution to the printing press. The fluid circuit, which has a controller 52, pumps 57, valves 58 and a display 54 (Burgard, Fig.5), switches operation between the first

and second configurations. Burgard does not teach the fluid circuit having a second pump which circulates the cleaning solution. Achelpohl et al. teaches an inking and cleaning system having a first pump 11 coupled to a source of ink 21 via a line 27 and valve 26 and a second pump 13 coupled to a source of cleaning solution 14 via a line 12 as shown in the Figure. Achelpohl et al. teaches also the first operation which pumps ink to the printing press via a check valve 24, line 27 and pump 11 (Achelpohl et al., col.3 lines 45-53) and a second operation which pumps the cleaning solution from the cleaning solution source 14 to the system via pumps 13 and 11 (Achelpohl et al., col.4, lines 9-20). In view of the teaching of Achelpohl et al., it would have been obvious to one of ordinary skill in the art to modify the inking and cleaning system of Burgard by providing the second pump which pumps cleaning solution to a printing press as taught by Achelpohl et al. to improve the efficiency of cleaning ink in the fluid circuit of a printing press. With respect to claim 24, Burgard and Achelpohl et al. teach the steps of supplying ink from the coating or ink supply 101 to the printing press via the pumps 124, 126, a plurality of valves 102, 107 and fluid lines 131,132,133, 134, removing ink from the fluid circuit, supplying a first solution, flushing and removing the first solution, supplying a second solution and flushing and removing the second solution comprising a cleaning solution (Burgard, Figs.10 and 11 and the paragraph 0033 and Achelpohl et al., claim 1).

Claim 7 is rejected under 35 U.S.C. § 103 (a) as being unpatentable over Burgard in view of Achelpohl et al. as applied to claims 1-6, 9, 12, 14 and 24-30 above, and further in view of Jones et al. (US 6,558,554).

Burgard and Achelpohl et al. teach all that is claimed, except the use of a surge suppressing filter in the fluid circuit. Jones et al. teaches the conventional use of surge suppressing filter 10, 12 and 64 (Jones et al., Fig.1) which is connected to a supply conduit 14 for supplying fluid to a coating apparatus via a line 66 (Jones et al., Fig.1). In view of the teaching of Jones et al., it would have been obvious to one of ordinary skill in the art to modify the system

of Burgard and Achelpohl et al. by providing a surge suppressing filter as taught by Jones et al. to improve the efficiency of feeding a fluid from a source to a printing cylinder.

Claims 8 and 13 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Burgard in view of Achelpohl et al. as applied to claims 1-6, 9, 12, 14 and 24-30 above, and further in view of Takekoshi (US 5,181,467).

Burgard and Achelpohl et al. teach all that is claimed, except the flow sensor used in the fluid circuit. Takekoshi teaches the use of flow sensors 16,18 for controlling the flow rate of a solution which is transferred to the container 26 as shown in Fig.3 of Takekoshi. In view of the teaching of Takekoshi, it would have been obvious to one of ordinary skill in the art to modify the system of Burgard and Achelpohl et al. by providing the flow sensor as taught by Takekoshi to improve the efficiency of feeding fluid from a source to a printing cylinder. With respect to claim 13, the use of a light tower for display information is known and involves no apparent unobviousness. For examples, see Takekoshi, col.10 lines 31-34.

Claims 15-19 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Achelpohl et al. (US 5,816,163) in view of Burgard (US 2002/0023587) and Clauditz (US 5,330,576).

With respect to claims 15-17 and 19, Achelpohl et al. teaches an inking and cleaning system having an ink supply pump 11 coupled to a source of ink 21 via a line 27 and valve 26, and a flush pump 13 coupled to a source of cleaning solution 14 via a line 12 (i.e., a flush station) as shown in the Figure of Achelpohl et al. Achelpohl et al. does not teach the controller coupled to the fluid circuit for switching between the first operation and the second operation. Burgard teaches an inking, cleaning system and method of inking and flushing a printing press having a fluid circuit 100 including a controller 52 for switching operations between the first operation for supplying ink to the printing press and second operation for supplying and flushing cleaning solution to and from the printing press (Burgard, Fig. 4 and paragraph 0007 and

0009). Clauditz teaches a recirculating coating liquid supply system which includes the double diaphragm pumps 4, 37 (a) and 37(b) for feeding liquid mixture to the applicator trough 53 (Clauditz, Fig.1). In view of the teachings of Burgar and Clauditz, it would have been obvious to one of ordinary skill in the art to modify the system of Achelpohl et al. by providing the controller as taught by Burgar for quickly switching between printing, cleaning and flushing operation and providing the double diaphragm pump as taught by Clauditz for simplicity in design the inking and flushing system. With respect to claim 18 the use of a double diaphragm air driven pump is well known in the art.

Response to Arguments

Applicants' arguments filed on October 03, 2005 have been fully considered but they are not persuasive of any error in the above rejections.

Applicant argues that Burgard, Achelpohl et al. and Clauditz fail to teach the inking and cleaning system and method of inking and flushing system as recited in the claims. Specifically, applicant argues that Burgard and Achelpohl et al. do not teach the first use of used flush solution when the desired amount of clean rinse is not available in the system.

However, applicants' arguments are more specific than the limitations in the claims. For example, there is no step of using first used flush solution when the desired amount of clean rinse is not available in the system in any claims.

As explained above, the combination of Burgard and Achelpohl et al. teaches the a cleaning system and method of inking, cleaning and flushing which includes a fluid circuit that can be operated in a first operating configuration for supplying ink and a second operating configuration for supplying cleaning solution and circulating the cleaning solution in the system of the printing press.

Applicant argues that Clauditz and Burgard fail to teach the used flush as recited in the claims.

However, as explained above, Clauditz teaches the conventional use of the double diaphragm pumps for feeding liquid mixture and recirculating coating liquid supply system; Achelpohl et al. teaches an inking and cleaning system having a fluid circuit and Burgard teaches a controller for switching operations for inking, cleaning and method of inking and flushing in a printing press. The combination of Achelpohl et al., Burgard, and Clauditz teach the use of used flush as recited in the claims.

Applicant argues that there is no suggestion in the prior art applied to make modification and that the modification would destroy the system if to use clean flush of water.

However, combination of Achelpohl et al., Burgard, and Clauditz teach clearly the use of used flush as recited in the claims.

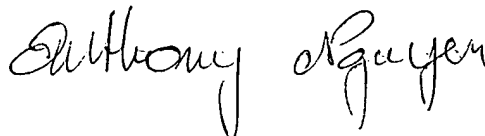
In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Burgard clearly teaches an inking system including a cleaning system and method of inking and flushing in a printing press; Achelpohl et al. teaches also the inking and cleaning and circulating system and Clauditz teaches the conventional use of the double diaphragm pumps for feeding liquid mixture and the use of used flush. Therefore, the combination of Burgard and Achelpohl et al. renders obvious the system and method as recited in claims 1-6, 9, 12, 14 and 24-30, and the combination of Achelpohl et al., Burgard and Clauditz renders obvious the system as recited in claims 15-19.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169.

The examiner can normally be reached daily from 9 AM to 5PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld, can be reached on (571) 272-2168.

The fax phone number for this Group is (571) 273-8300.

A handwritten signature in black ink that reads "Anthony Nguyen". The signature is written in a cursive, flowing style.

Anthony Nguyen
2/15/06
Patent Examiner
Technology Center 2800